

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
BIDI VAPOR, LLC,

Plaintiff,

-against-

ALDAFACTORY, BESTVAPORSELLER,  
DGMENGOU, DHGATEIUS,  
ECIGARETTEDIRECT, ECIGCTO,  
ECIGMANUFACTURE, ECIGSHOP88,  
ITALY\_NEST1, LINJIUYONG, ONE CLOUD  
PUFF, RACHELSHOUSE, SOULLILY,  
SUNRISE\_STORE, SUPERVAPES, VAPE08,  
VAPECGE, VAPEFOREVER,  
VAPINGFOREVER, VIDGEWISE001,  
VIDGEWISE008, WONDERFULCIGS, XI02  
and YLHCGH,

Defendants.

ANALISA TORRES, District Judge:

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20 Civ. 10408 (AT)

**ORDER FILED UNDER SEAL**

On December 11, 2020, this Court entered a temporary restraining order on Plaintiff's *ex parte* motion (the "TRO"). The Court found that Plaintiff was likely to succeed on its claims of trademark infringement by Defendants, that continued infringement would cause Plaintiff irreparable harm, and that the public interest and the balance of equities strongly favored restraining further infringement. Accordingly, the Court entered the TRO, and, among other things: (1) restrained Defendants from taking a variety of actions that infringed Plaintiff's trademark or induced others to do so, (2) directed third-party web service providers to cease providing service to Defendants within five days, (3) directed third-party financial institutions to locate and attach Defendants' financial accounts within five days, (4) authorized expedited discovery, (5) authorized Plaintiff to delay service on Defendants until after the third parties had complied with the order, and authorized service by electronic means, and (6) sealed Plaintiff's application, its supporting documents, and the order itself until the third parties had complied. The Court further ordered that Defendants appear on December 21, 2020, at 1:00 p.m., to show cause why a preliminary injunction should not issue.

The time for the third parties designated in the Court's order to comply has now passed. Accordingly, it is ORDERED that:

- (1) By **December 28, 2020**, Plaintiff shall file with the Court a status letter describing the compliance or noncompliance of Defendants and third parties with the Court's order, and providing proof of service of the TRO on each Defendant (consistent with the methods of service outlined in the TRO);

- (2) The hearing scheduled for December 21, 2020, at 1:00 p.m. is ADJOURNED to **January 11, 2021**, at **1:00 p.m.** By **January 5, 2021**, Defendants shall file any opposing papers. By **January 8, 2021**, Plaintiff shall file any reply;
- (3) Pursuant to Federal Rule of Civil Procedure 65(b)(2), the TRO is extended to January 12, 2021. Good cause exists for an extension, because adjourning the preliminary injunction hearing is necessary to ensure Defendants are afforded adequate notice, and continued restraint of Defendants and third parties in the interim period is necessary to protect Plaintiff's rights against the irreparable harms demonstrated in their TRO application.

By **December 22, 2020**, Plaintiff shall serve this order on Defendants using the same methods authorized by the TRO. By **December 23, 2020**, Plaintiff shall provide the Court with proof of service.

SO ORDERED.

Dated: December 18, 2020  
New York, New York



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ANALISA TORRES  
United States District Judge